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98TH CONGRESS
2D SESSION

S. 1787

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 9, 1984

Jointly referred to the Committees on the Judiciary and Energy and Commerce

AN ACT

To establish a National Drug Enforcement Policy Board.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "National Narcotics Act of
4 1984".

5 SEC. 2. (a) The Congress hereby makes the following
6 findings:

7 (1) The flow of illegal narcotics into the United
8 States is a major and growing problem.

9 (2) The problem of illegal drug activity falls
10 across the entire spectrum of Federal activities both
11 nationally and internationally.

1 (3) Illegal drug trafficking is estimated by the
2 General Accounting Office to be an \$80,000,000,000
3 per annum industry in the United States.

4 (4) The annual consumption of drugs has reached
5 epidemic proportions.

6 (5) Despite the efforts of the United States Gov-
7 ernment and other nations, the mechanisms for smug-
8 gling opium and other hard drugs into the United
9 States remain virtually intact and United States agen-
10 cies estimate that they are able to interdict no more
11 than 5 to 15 percent of all hard drugs flowing into the
12 country.

13 (6) Such significant indicators of the drug problem
14 as drug-related deaths, emergency room visits, hospital
15 admissions due to drug-related incidents, and addiction
16 rates are soaring.

17 (7) Increased drug trafficking is strongly linked to
18 violent, addiction-related crime and recent studies have
19 shown that over 90 percent of heroin users rely upon
20 criminal activity as a means of income.

21 (8) Much of the drug trafficking is handled by syn-
22 dicates, a situation which results in increased violence
23 and criminal activity because of the competitive strug-
24 gle for control of the domestic drug market.

1 (9) Controlling the supply of illicit drugs is a key
2 to reducing the crime epidemic confronting every
3 region of the country.

4 (10) The magnitude and scope of the problem re-
5 quires the establishment of a National Drug Enforce-
6 ment Policy Board, chaired by the Attorney General,
7 to facilitate coordination of all Federal efforts by rele-
8 vant agencies.

9 (11) Such a Board must have responsibility for co-
10 ordinating the operations of Federal agencies involved
11 in attacking this problem through the development of
12 policy and resources, so that a unified and efficient
13 effort can be undertaken.

14 (b) It is the purpose of this Act to insure—

15 (1) the maintenance of a national and internation-
16 al effort against illegal drugs;

17 (2) that the activities of the Federal agencies in-
18 volved are fully coordinated; and

19 (3) that a single, competent, and responsible high-
20 level Board of the United States Government, chaired
21 by the Attorney General, will be charged with this re-
22 sponsibility of coordinating United States policy with
23 respect to national and international drug law enforce-
24 ment.

1 SEC. 3. There is established in the executive branch of
2 the Government a Board to be known as the "National Drug
3 Enforcement Policy Board" (hereinafter in this Act referred
4 to as the "Board"). There shall be at the head of the Board a
5 Chairman who shall be the Attorney General (hereinafter in
6 this Act referred to as the "Chairman"). In addition to the
7 Chairman, the Board shall be comprised of the Secretaries of
8 State, Treasury, Defense, Transportation, Health and
9 Human Services, the Director of the Office of Management
10 and Budget, and the Director of Central Intelligence and
11 such other officials as may be appointed by the President.
12 Decisions made by the Board pursuant to section 4(a) of this
13 Act shall be acknowledged by each member thereof in writ-
14 ing.

15 SEC. 4. (a) The Board shall facilitate coordination of
16 United States operations and policy on illegal drug law en-
17 forcement. In the furtherance of that responsibility, the
18 Board shall have the responsibility, and is authorized to—

19 (1) review, evaluate and develop United States
20 Government policy, strategy and resources with re-
21 spect to illegal drug law enforcement efforts, including
22 budgetary priorities and a National and International
23 Drug Law Enforcement Strategy;

1 (2) facilitate coordination of all United States
2 Government efforts to halt national and international
3 trafficking in illegal drugs; and

4 (3) coordinate the collection and evaluation of in-
5 formation necessary to implement United States policy
6 with respect to illegal drug law enforcement.

7 (b) For the purpose of coordinating the activities of the
8 several departments and agencies with responsibility for drug
9 law enforcement and implementing the determinations of the
10 Board, it shall be the duty of the Chairman—

11 (1) to advise the Board in matters concerning
12 drug law enforcement;

13 (2) to make recommendations to the Board for the
14 coordination of drug enforcement activities;

15 (3) to correlate and evaluate intelligence and
16 other information on drug law enforcement to support
17 the activities of the Board;

18 (4) to act as primary adviser to the President and
19 Congress on national and international illegal drug law
20 enforcement programs and policies developed by the
21 Board under subsection (a) of this section and the im-
22 plementation thereof; and

23 (5) to perform such other duties as the President
24 may direct.

1 (c) In carrying out responsibilities under this section, the
2 Chairman, on behalf of the Board, is authorized to—

3 (1) direct, with the concurrence of the head of the
4 agency employing such personnel, the assignment of
5 Government personnel within the United States Gov-
6 ernment in order to implement United States policy
7 with respect to illegal drug law enforcement;

8 (2) provide guidance in the implementation and
9 maintenance of policy, strategy, and resources devel-
10 oped under subsection (a) of this section;

11 (3) review and approve the reprogramming of funds
12 relating to budgetary priorities developed under subsec-
13 tion (a) of this section;

14 (4) procure temporary and intermittent services
15 under section 3109(b) of title 5 of the United States
16 Code, but at rates for individuals not to exceed the
17 daily equivalent of the maximum annual rate of basic
18 pay payable for the grade of GS-18 of the General
19 Schedule;

20 (5) accept and use donations of property from all
21 Government agencies; and

22 (6) use the mails in the same manner as any other
23 department or agency of the executive branch.

1 (d) Notwithstanding the authority granted in subsection
2 (a) of this section, the Board shall not interfere with routine
3 law enforcement or intelligence decisions of any agency.

4 (e) The Administrator of the General Services Adminis-
5 tration shall provide to the Board on a reimbursable basis
6 such administrative support services as the Chairman may
7 request.

8 SEC. 5. The Chairman shall submit to the Congress,
9 within nine months after enactment of this Act, and biannual-
10 ly thereafter, a full and complete report reflecting United
11 States policy with respect to illegal drug law enforcement,
12 plans proposed for the implementation of such policy, and,
13 commencing with the submission of the second report, a full
14 and complete report reflecting accomplishments with respect
15 to the United States policy and plans theretofore submitted to
16 the Congress.

17 SEC. 6. Title II of the Drug Abuse Prevention, Treat-
18 ment and Rehabilitation Act (21 U.S.C. 1112) is amended by
19 adding at the end of section 201 (21 U.S.C. 1111) a new
20 subsection (d) as follows:

21 "(d) Support to National Drug Enforcement Policy
22 Board. One of the duties of the White House Office of Drug
23 Abuse Policy shall be to insure coordination between the Na-
24 tional Drug Enforcement Policy Board and the health issues
25 associated with drug abuse.

1 SEC. 7. This Act shall be effective January 20, 1985.

Passed the Senate February 7 (legislative day, February 6), 1984.

Attest: WILLIAM F. HILDENBRAND,
Secretary.

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Calendar No. 359

98TH CONGRESS
1ST SESSION

S. 1787

To establish an Office of the Director of National and International Drug
Operations and Policy.

IN THE SENATE OF THE UNITED STATES

AUGUST 4 (legislative day, AUGUST 1), 1983

Mr. BIDEN (for himself, Mr. DeCONCINI, Mr. PELL, Mr. KENNEDY, Mr. METZENBAUM, Mr. LEAHY, Mr. BAUCUS, Mr. CHILES, Mr. NUNN, Mr. ZORINSKY, Mr. SASSER, Mr. RANDOLPH, Mr. BURDICK, Mr. HOLLINGS, Mr. HEINZ, Mrs. HAWKINS, Mr. CRANSTON, Mr. MOYNIHAN, and Mr. EAGLETON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

AUGUST 4 (legislative day, AUGUST 1), 1983

Reported by Mr. BIDEN, without amendment

A BILL

To establish an Office of the Director of National and
International Drug Operations and Policy.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "National Narcotics Act of
- 4 1983".

1 SEC. 2. (a) The Congress hereby makes the following
2 findings:

3 (1) The flow of illegal narcotics into the United
4 States is a major and growing problem.

5 (2) The problem of illegal drug activity falls
6 across the entire spectrum of Federal activities both
7 nationally and internationally.

8 (3) Illegal drug trafficking is estimated by the
9 General Accounting Office to be a \$80,000,000,000 a
10 year industry in the United States.

11 (4) The annual consumption of heroin in the
12 United States is in the range of four metric tons, and
13 annual domestic consumption of cocaine is estimated to
14 be forty to forty-eight metric tons.

15 (5) Despite the efforts of the United States Gov-
16 ernment and other nations, the mechanisms for smug-
17 gling opium and other hard drugs into the United
18 States remain virtually intact and United States agen-
19 cies estimate that they are able to interdict no more
20 than 5 to 15 per centum of all hard drugs flowing into
21 the country.

22 (6) Such significant indicators of the drug problem
23 as drug-related deaths, emergency room visits, hospital
24 admissions due to drug-related incidents, and addiction
25 rates are soaring.

1 (7) Increased drug trafficking is strongly linked to
2 violent, addiction-related crime and recent studies have
3 shown that over 90 per centum of heroin users rely
4 upon criminal activity as a means of income.

5 (8) Much of the drug trafficking is handled by syn-
6 dicates which results in increased violence and criminal
7 activity because of the competitive struggle for control
8 of the domestic drug market.

9 (9) Controlling the supply of illicit drugs is a key
10 to reducing the crime epidemic confronting every
11 region of the country.

12 (10) The magnitude and scope of the problem re-
13 quires a director of National and International Drug
14 Operations and Policy with the responsibility for the
15 coordination and direction of all Federal efforts by the
16 numerous agencies.

17 (11) Such a director must have broad authority
18 and responsibility for making management, policy, and
19 budgetary decisions with respect to all Federal agen-
20 cies involved in attacking this problem so that a unified
21 and efficient effort can be made to eliminate the illegal
22 drug problem.

23 (b) It is the purpose of this Act to insure—

24 (1) the development of a national policy with re-
25 spect to illegal drugs;

1 (2) the direction and coordination of all Federal
2 agencies involved in the effort to implement such a
3 policy; and

4 (3) that a single, competent, and responsible high-
5 level official of the United States Government, who is
6 appointed by the President, by and with the advice and
7 consent of the Senate, and who is accountable to the
8 Congress and the American people, will be charged
9 with the responsibility of coordinating the overall direc-
10 tion of United States policy, resources, and operations
11 with respect to the illegal drug problem.

12 SEC. 3. There is established in the executive branch of
13 the Government an office to be known as the "Office of the
14 Director of National and International Drug Operations and
15 Policy" (hereinafter in this Act referred to as the "Office of
16 the Director"). There shall be at the head of the Office of the
17 Director a Director of National and International Drug Oper-
18 ations and Policy (hereinafter in this Act referred to as the
19 "Director"). There shall be a Deputy Director of National
20 and International Drug Operations and Policy (hereinafter in
21 this section referred to as the "Deputy Director") to assist
22 the Director in carrying out the Director's functions under
23 this Act.

24 SEC. 4. (a) The Director and the Deputy Director shall
25 be appointed by the President, by and with the advice and

1 consent of the Senate. The Director and the Deputy Director
2 shall each serve at the pleasure of the President. No person
3 may serve as Director or Deputy Director for a period of
4 more than four years unless such person is reappointed to
5 that same office by the President, by and with the advice and
6 consent of the Senate. The Director shall be entitled to the
7 compensation provided for in section 5313, title 5, United
8 States Code. The Deputy Director shall be entitled to the
9 compensation provided for in section 5314, title 5, United
10 States Code.

11 (b) The Director shall serve as the principal director and
12 coordinator of United States operations and policy on illegal
13 drugs.

14 (c) The Director shall have the responsibility, and is au-
15 thorized to—

16 (1) develop, review, implement, and enforce
17 United States Government policy with respect to il-
18 legal drugs;

19 (2) direct and coordinate all United States Gov-
20 ernment efforts to halt the flow into, and sale and use
21 of illegal drugs within the United States;

22 (3) develop in concert with governmental entities
23 budgetary priorities and budgetary allocations of enti-
24 ties of the United States Government with respect to
25 illegal drugs; and

1 (4) coordinate the collection and dissemination of
2 information necessary to implement United States
3 policy with respect to illegal drugs.

4 (d) In carrying out his responsibilities under subsection
5 (c) the Director is authorized to—

6 (1) direct, with the concurrence of the head of the
7 agency employing such personnel, the temporary reas-
8 signment of government personnel within the United
9 States Government in order to implement United
10 States policy with respect to illegal drugs;

11 (2) procure temporary and intermittent services
12 under section 3109(b) of title 5 of the United States
13 Code, but at rates for individuals not to exceed the
14 daily equivalent of the maximum annual rate of basic
15 pay payable for the grade of GS-18 of the General
16 Schedule;

17 (3) accept and use donations of property from all
18 government agencies; and

19 (4) use the mails in the same manner as any other
20 department or agency of the executive branch.

21 (e) Notwithstanding any other provision of law, rule, or
22 regulation to the contrary, the Director shall have the au-
23 thority to direct each department or agency with responsibili-
24 ty for drug control to carry out the policies established by the

1 Director consistent with the general authority of each agency
2 or department.

3 (f) The Administrator of the General Services Adminis-
4 tration shall provide to the Director on a reimbursable basis
5 such administrative support services as the Director may
6 request.

7 SEC. 5. The Director shall submit to the Congress,
8 within nine months after enactment of this Act, and annually
9 thereafter, a full and complete report reflecting United States
10 policy with respect to illegal drugs, plans proposed for the
11 implementation of such policy, and, commencing with the
12 submission of the second report, a full and complete report
13 reflecting accomplishments with respect to the United States
14 policy and plans theretofore submitted to the Congress.

15 SEC. 6. For the purpose of carrying out this Act, there
16 are authorized to be appropriated \$500,000 for fiscal year
17 1984, and such sums as may be necessary for each of the
18 four succeeding fiscal years, to be available until
19 expended.

20 SEC. 7. This Act shall be effective January 1, 1984.

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98TH CONGRESS
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5 epidemic proportions.

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7 to facilitate coordination of all Federal efforts by rele-
8 vant agencies.

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10 ordinating the operations of Federal agencies involved
11 in attacking this problem through the development of
12 policy and resources, so that a unified and efficient
13 effort can be undertaken.

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16 al effort against illegal drugs;

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18 volved are fully coordinated; and

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20 level Board of the United States Government, chaired
21 by the Attorney General, will be charged with this re-
22 sponsibility of coordinating United States policy with
23 respect to national and international drug law enforce-
24 ment.

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3 Enforcement Policy Board" (hereinafter in this Act referred
4 to as the "Board"). There shall be at the head of the Board a
5 Chairman who shall be the Attorney General (hereinafter in
6 this Act referred to as the "Chairman"). In addition to the
7 Chairman, the Board shall be comprised of the Secretaries of
8 State, Treasury, Defense, Transportation, Health and
9 Human Services, the Director of the Office of Management
10 and Budget, and the Director of Central Intelligence and
11 such other officials as may be appointed by the President.
12 Decisions made by the Board pursuant to section 4(a) of this
13 Act shall be acknowledged by each member thereof in writ-
14 ing.

15 SEC. 4. (a) The Board shall facilitate coordination of
16 United States operations and policy on illegal drug law en-
17 forcement. In the furtherance of that responsibility, the
18 Board shall have the responsibility, and is authorized to—

19 (1) review, ~~evaluate~~ and develop United States
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21 spect to illegal drug law enforcement efforts, including
22 budgetary priorities and a National and International
23 Drug Law Enforcement Strategy;

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1 (2) facilitate coordination of all United States
2 Government efforts to halt national and international
3 trafficking in illegal drugs; and

4 (3) ~~coordinate the collection and evaluation of in-~~
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6 with respect to illegal drug law enforcement.

7 (b) For the purpose of coordinating the activities of the
8 several departments and agencies with responsibility for drug
9 law enforcement and implementing the determinations of the
10 Board, it shall be the duty of the Chairman—

11 (1) to advise the Board in matters concerning
12 drug law enforcement;

13 (2) to make recommendations to the Board for the
14 coordination of drug enforcement activities;

15 (3) to correlate and evaluate ~~intelligence and~~
16 ~~other~~ information on drug law enforcement to support
17 the activities of the Board;

18 (4) to act as primary adviser to the President and
19 Congress on national and international illegal drug law
20 enforcement programs and policies developed by the
21 Board under subsection (a) of this section and the im-
22 plementation thereof; and

23 (5) to perform such other duties as the President
24 may direct.

6.

1 (c) In carrying out responsibilities under this section, the
2 Chairman, ~~on behalf~~ of the Board, is authorized to—

3 (1) direct, with the concurrence of the head of the
4 agency employing such personnel, the assignment of
5 Government personnel within the United States Gov-
6 ernment in order to implement United States policy
7 with respect to illegal drug law enforcement;

8 (2) ~~provide guidance in~~ the implementation and
9 maintenance of policy, strategy, and resources devel-
10 oped under subsection (a) of this section;

11 (3) review and approve the reprogramming of funds
12 relating to budgetary priorities developed under subsec-
13 tion (a) of this section;

14 (4) procure temporary and intermittent services
15 under section 3109(b) of title 5 of the United States
16 Code, but at rates for individuals not to exceed the
17 daily equivalent of the maximum annual rate of basic
18 pay payable for the grade of GS-18 of the General
19 Schedule;

20 (5) accept and use donations of property from all
21 Government agencies; and

22 (6) use the mails in the same manner as any other
23 department or agency of the executive branch.

1 (d) Notwithstanding the authority granted in subsection^S
2 (b) and (c) [redacted] [redacted]
3 (a) of this section, the Board shall ~~not~~ interfere with [routine]
4 law enforcement or intelligence decisions of any agency.

5 (e) The Administrator of the General Services Adminis-
6 tration shall provide to the Board on a reimbursable basis
7 such administrative support services as the Chairman may
8 request.

9 SEC. 5. The Chairman shall submit to the Congress,
10 within nine months after enactment of this Act and biannual
11 ly thereafter, a full and complete report reflecting United
12 States policy with respect to illegal drug law enforcement,
13 plans proposed for the implementation of such policy, and,
14 commencing with the submission of the second report, a full
15 and complete report reflecting accomplishments with respect
16 to the United States policy and plans theretofore submitted to
17 the Congress.

18 SEC. 6. Title II of the Drug Abuse Prevention, Treat-
19 ment and Rehabilitation Act (21 U.S.C. 1112) is amended by
20 adding at the end of section 201 (21 U.S.C. 1111) a new
21 subsection (d) as follows:

22 "(d) Support to National Drug Enforcement Policy
23 Board. One of the duties of the White House Office of Drug
24 Abuse Policy shall be to insure coordination between the Na-
25 tional Drug Enforcement Policy Board and the health issues
associated with drug abuse.

8

1 SEC. 7. This Act shall be effective January 20, 1985.

Passed the Senate February 7 (legislative day, February 6), 1984.

Attest: WILLIAM F. HILDENBRAND,
Secretary.